

# **Notice of Allowability**

Application No.

09/934,732

Examiner

John L. Goff

Applicant(s)

KANNANKERIL ET AL

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308

1. ☒ This communication is responsive to the RCE.
2. ☒ The allowed claim(s) is/are 1-6, 10-12, 14-18 and 21-38.
3. ☒ The drawings filed on 13 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted
    - (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
    - (b) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 12/18/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 02/06/2004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Rupert Hurley on 2/6/04.
3. The application has been amended as follows:  
In claim 16, line 1 delete "Claim 13" and insert therein - - Claim 1 - -.  
In claim 21, line 1 delete "Claim 8" and insert therein - - Claim 1 - -.
4. Cancel claims 39-41. The cancelled claims are directed to a non-elected species (Figure 2) there being no allowable generic claim.
5. Claims 1-6, 10-12, 14-18, and 21-38 are allowed.

### REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance:  
It is noted the independent claims were amended to require a first "flat" film, a second "flat" film, and "the heating being carried out by passing the first and second flat films together in a partial wrap around a heated roller having a raised surface". It is noted a "flat" film excludes a thermoformed film (as supported by Figure 10 and applicants arguments submitted 11/13/03),

and "a partial wrap" excludes merely bonding by tangentially contacting the films with the roller (as supported by Figure 10 and applicants arguments submitted 11/13/03).

The claims are allowable over Larson (U.S. Patent 4,096,306) and Kawakami (U.S. Patent 4,657,625) in view of applicants amendment and arguments submitted 11/13/03. Caputo (U.S. Patent 5,188,691) and Gutoh et al. (U.S. Patent 5,824,392) are cited to show a pair of heated nip rollers for forming an air cushion product. Chavannes (U.S. Patent 3,142,599) is cited to show cooling of an extruded film directly after extrusion and prior to forming into an air cushion product on a roller. However, none of these references alone or in combination with Larson or Kawakami show an integrated process for forming an inflated laminate wherein (A) first and second flat films are extruded; (B) the first and second flat films are cooled below their fusion temperatures; (C) the first and second flat films are contacted; (D) selected portions of at least one of the first and second flat films are heated by a heated roller having a raised surface (the raised surface does not thermoform either film, i.e. no vacuum deformation) to form inflatable chambers between the first flat film and the second flat film, the heating carried out by passing the first and second flat films together in a partial wrap around the heated roller; and (E) winding up or transporting the inflatable laminate with the chambers of the laminate uninflated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is (571) 272-1216. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John L. Goff  
February 9, 2004

  
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